

REMARKS

Status of Claims

Claims 17-20 are pending in the application. All claims stand rejected. Favorable reconsideration is respectfully requested in light of the following remarks.

Rejections Under 35 U.S.C. 102(b)

The examiner states that Claims 17-20 are rejected under 35 U.S.C. 102(b) as been clearly anticipated by Lamb 5,102,487. Especially figure 1, cutters 18, 30 sensor 46, and column 4, lines 52-64.

Applicant respectfully traverses this rejection. The Lamb reference discloses moving a continuous underlay and a continuous overlay together to form a laminated roofing material. The laminated roofing material is then fed to an end cut cylinder, which cuts the laminated roofing material into shingles, one shingle at a time. The continuous overlay has distinct portions, and a sensor is used to correctly synchronize the end cut cylinder with respect to the single web of laminated roofing material to achieve the desired pattern on the shingles. The continuous underlay has no distinct portions. There is no disclosure or suggestion of an apparatus for simultaneously cutting end cuts through multiple stacked webs with a cutter to simultaneously produce separate roofing shingles from the webs.

The Examiner's contention that the Lamb reference anticipates Applicant's claim 17 is clearly in error when it comes to the limitation in claim 17 (newly amended) that states "each of the webs having distinct portions." If the underlay and the overlay are to be viewed as "webs", the underlay, having no cutouts, has no distinct portions. The underlay would then be a web having no distinct portions, which is contrary to the invention defined in claim 17. Therefore, for at least this reason, the Lamb reference neither anticipates nor makes obvious Applicant's claim 17.

Further, the apparatus of Lamb fails to teach or suggest several of Applicants' claim limitations. Nowhere does Lamb teach or suggest "multiple feeders adapted to move the webs to the cutter" as Applicants' claim. Nowhere does Lamb teach or suggest a "web handling apparatus adapted to position the webs in stacked relationship prior to the cutter". Nowhere does Lamb teach or suggest "a controller adapted to control the location of the cutting, based on the sensed locations of the distinct portions of the multiple stacked webs, so that the end cuts of the roofing shingles are positioned at predetermined locations relative to the distinct portions".

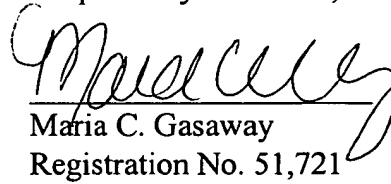
Accordingly, Applicants respectfully submit that independent claim 17 is clearly allowable over Lamb. Claims 18-20 which ultimately depend from claim 17 contain the limitations of claim 17 and are allowable for this reason. Applicants respectfully request that the 102(b) rejection of claims 17-20 be withdrawn.

Conclusion

In view of the above, it is submitted that the claims are in condition for allowance. Reconsideration of the rejections is requested. Allowance of claims 17-20 at an early date is solicited. If any questions should arise with respect to the above Remarks, or if the Examiner has any comments or suggestions to place the claims in better condition for allowance, it is requested that the Examiner contact Applicants' agent at the number listed below.

Applicants authorizes any fees required pertaining to this response be charged to Deposit Account No. 50-0568.

Respectfully submitted,


Maria C. Gasaway
Registration No. 51,721

Date: October 22, 2003

Law Dept./Attn. Docket Administrator
Owens-Corning
2790 Columbus Road, Building 11
Granville, Ohio 43023

(740) 321-7213